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REMARKS/ARGUMENTS

In view of the following remarks, reexamination and reconsideration of this application, withdrawal of the rejections, and formal notification of the allowability of all claims as presented are earnestly solicited. Claims 1-17 are pending and, as indicated in the Office Action, Claims 1-17 have been rejected. Claims 1 and 11 are independent claims each directed to a method, implemented over a computer network, of collaboratively identifying, prioritizing, and resolving issues affecting a series or plurality of similar complex systems administered by an originating entity, while Claim 5 is an independent claim directed to an associated system capable of implementing such a method. In response to the Office Action, Claims 1 and 5 have been amended. The amendments find support throughout the Specification and the Figures, and no new matter has been added. Accordingly, it is believed that the claims now define patentable subject matter and notice to such effect is requested at the Examiner's earliest convenience.

Claim Rejections – 35 U.S.C. § 112

Claims 1-10 were rejected in the Office Action as being indefinite in light of the phrase "allowing the committee" as used in Claims 1 and 5. The Applicants traverse these rejections. However, in order to expedite prosecution and allowance of the claims, Claims 1 and 5 have been amended to further clarify the claimed subject matter.

More particularly, the elements of Claim 1 using the phrase "allowing the committee" (namely the 2nd, 3rd, and 5th elements) have been amended as shown starting on Page 2 of this paper. In element 2 of Claim 1, "allowing the committee to access to the electronic media" has been amended to **"accessing the electronic media by the committee."** In element 3 of Claim 1, "allowing the committee to assign each action issue" has been amended to **"assigning each action issue by the committee."** In element 5 of Claim 1, "allowing the committee to direct implementation of the resolution proposal" has been amended to **"directing implementation of the resolution proposal for each evaluated action issue by the committee."** Claim 5 has also been amended consistently with the amendments to Claim 1. Since these amendments are fully supported by the language of the claims prior to the amendments, no new matter has been added.

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The Applicants submit that the amendments to Claims 1 and 5 fully address the rejections in the Office Action. The Applicants further submit that one skilled in the art will readily appreciate and understand the computer technology involved in the committee, via the third computer device, accessing the discussion-capable electronic media to separate the posted plurality of issues into rejected issues and action issues, at least partially based on the posted plurality of comments; to prioritize the action issues; to assign each action issue to at least one of the customer and the originating entity; and to send with each assigned action issue a set of resolution directions over the computer network to the at least one of the customer and the originating entity via the corresponding one of the first computer device and the second computer device. It follows that one skilled in the art will also readily appreciate and understand the computer technology involved in the committee, via the third computer device, directing implementation of the resolution proposal for each evaluated action issue over the computer network and then directing closure of the action issue upon completion of implementation of the resolution proposal. Therefore, the rejections to Claims 1 and 5 having been addressed, the Applicants submit that Claims 1-10 are now patentable under 35 U.S.C. §112, second paragraph and request notification of the allowance of Claims 1-10.

Claim Rejections – 35 U.S.C. § 101

Claims 11-17 were rejected in the Office Action as being directed to non-statutory subject matter. The Applicants strenuously traverse this rejection and submit that the standard set forth in the Office Action has been misapplied.

As presented, Claim 11 is directed to a method of collaboratively identifying, prioritizing, and resolving issues affecting a series administered by an originating entity, the method being implemented over a computer network in communication with a first, second, and third computer device, wherein the first computer device is adapted to be used by a customer in possession of a system in the series, the second computer device is adapted to be used by the originating entity, and the third computer device is adapted to be used by a committee comprised of a customer representative and an originating entity representative.

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Such a method first comprises receiving at least one of an issue and a comment corresponding to the issue over the computer network, from at least one of the customer and the originating entity via the respective computer device, on a discussion-capable electronic media configured to have a plurality of issues and a plurality of comments posted thereon and accessible to the first, the second, and the third computer devices over the computer network. Once received, the posted issues are separated by the committee into rejected issues and action issues, at least partially based on the posted comments, wherein the action issues are then prioritized by the committee.

Each action issue is then assigned by the committee to an assignee, the assignee comprising at least one of the customer and the originating entity, whereby the assignee for the respective action issue is designated as being responsible for developing a resolution proposal for resolving that action issue. The committee also sends, via the third computer device, each action issue with an associated set of resolution directions over the computer network to the assignee of the respective action issue via the respective computer device. The set of resolution directions includes at least one issue-closure criteria to be met by the resolution proposal for the respective action issue.

Upon receiving a resolution proposal for each action issue over the computer network from the respective assignee, the committee evaluates the resolution proposal for the respective action issue with respect to the issue-closure criteria. The committee then directs implementation, by at least one of the customer and the originating entity, of the resolution proposal meeting the associated issue-closure criteria for each action issue. Each action issue is then closed by the committee upon the completion of implementation of the associated resolution proposal.

Contrary to the application of the standard set forth in the Office Action, the “useful, concrete, and tangible result” standard is directed to the claimed invention as a whole. In this regard, a method of collaboratively identifying, prioritizing, and resolving issues according to pending Claim 11 particularly indicates that issues posted on a discussion-capable electronic media are separated into action issues and rejected issues, at least partially based on comments regarding those issues also posted on the media, wherein the action issues are prioritized for

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attention. Each action issue is then assigned to an assignee, wherein the assignee receives resolution directions and an issue-closure criteria with which the assignee is charged to develop a resolution proposal for that action issue. The submitted resolution proposal is then evaluated with respect to the issue-closure criteria and, if the criteria is met, the resolution proposal is directed for implementation and the action issue then closed upon completion of such implementation. Thus, as a whole, the embodiment of the invention as claimed in Claim 11 succinctly provides that an identified action issue is addressed by a resolution proposal developed according to prepared resolution directions and an issue-closure criteria, whereby a resolution proposal evaluated as meeting the issue-closure criteria is implemented and the action issue closed on completion of such implementation. Accordingly, the Applicants submit that, as a whole, such a method as claimed in Claim 11 does provide a useful, concrete, and tangible result.

In any instance, the Office Action did not even consider the distinct limitations set forth in Claim 11 in this rejection. More particularly, the Office Action asserts that “the committee evaluates the resolution proposals for the respective action issues” is not concrete, but the Office Action fails to consider that the committee provides the assignee with resolution directions and an issue-closure criteria upon assignment of the action issue (Claim 11, 5th element). In addition, in evaluating a resolution proposal, the committee does so with respect to the issue-closure criteria (Claim 11, 7th element). The committee then directs implementation of the resolution proposal meeting the associated issue-closure criteria (Claim 11, 8th element). As particularly detailed in the Specification, the issue-closure criteria may include, for example, a projected cost or cost limit or an action schedule for implementing a remedy for an issue (Page 14, lines 11-13). Such issue-closure criteria may also be determined according to a consensus between the committee, the customer, and/or the originating entity. In any instance, the issue-closure criteria for an action issue is determined prior to the assignee developing a corresponding resolution proposal. By following these exemplary guidelines for providing an issue-closure criteria, one skilled in the art will clearly appreciate that the particular details of the issue-closure criteria may vary according to the nature of the corresponding action issue. Once this issue-closure criteria is determined, the committee evaluates a resolution proposal for the

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corresponding action issue and then directs implementation of the resolution proposal by the appropriate party, if the particular issue-closure criteria is met. That action issue can then be closed upon completion of implementation of the resolution proposal. Thus, the committee evaluates the resolution proposals according to an issue-closure criteria, which thereby provides an "evaluation standard."

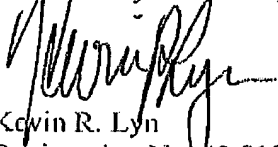
As such, the Applicants submit that Claims 11-17 do provide a useful, concrete, and tangible result and therefore are directed to statutory subject matter in contravention of the assertions otherwise in the Office Action. Accordingly, the Applicants further submit that Claims 11-17 are patentable under 35 U.S.C. §101 and request withdrawal of these rejections.

Conclusion

In conclusion, for the reasons set forth above, the Applicant submits that all claims now pending are in condition for immediate allowance. Accordingly, notice to such effect is respectfully requested at the Examiner's earliest opportunity.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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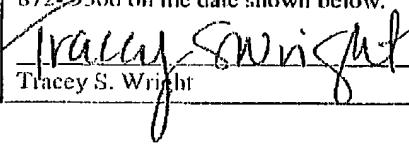
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